

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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RODERICK SKINNER,

Plaintiff,

v.

EDWARD T. REED,

Defendant.

Case No. 3:22-cv-00352-ART-CSD

ORDER

*Pro se* Plaintiff Roderick Skinner brings this action under 42 U.S.C. § 1983. Plaintiff failed to submit an *in forma pauperis* application, the required financial certificate, or his filing fee for this action. Judge Denney ordered Plaintiff to submit the documents by September 30, 2022 or the Court would recommend dismissal of the action. (ECF No. 5). Since this order, Plaintiff has not undertaken any of the required actions. Before the Court is the Report and Recommendation (“R&R” or “Recommendation”) of United States Magistrate Judge Craig S. Denney (ECF No. 6), recommending the Court dismiss Plaintiff’s action without prejudice. Plaintiff had until October 18, 2022 to file an objection. To date, no objection to the R&R has been filed. For this reason, and as explained below, the Court adopts the R&R, and will dismiss Plaintiff’s action without prejudice.

The Court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1). Where a party fails to object to a magistrate judge’s recommendation, the Court is not required to conduct “any review at all . . . of any issue that is not the subject of an objection.” *Thomas v. Arn*, 474 U.S. 140, 149 (1985); *see also United States v. Reyna-Tapia*, 328 F.3d 1114, 1116 (9th Cir. 2003) (“De novo review of the magistrate judges’ findings and recommendations is required if, but *only* if, one

1 or both parties file objections to the findings and recommendations.”) (emphasis  
2 in original); Fed. R. Civ. P. 72, Advisory Committee Notes (1983) (providing that  
3 the Court “need only satisfy itself that there is no clear error on the face of the  
4 record in order to accept the recommendation.”).

5 Because there is no objection, the Court need not conduct de novo review,  
6 and is satisfied Judge Denney did not clearly err. Here, Judge Denney ordered  
7 Plaintiff to either submit an *in forma pauperis* application with the required  
8 financial certificate or pay the filing fee. (ECF No. 5). Plaintiff failed to do so.  
9 Judge Denney therefore recommends that the Court dismiss Plaintiff’s case  
10 without prejudice. (ECF No. 6 at 1). The Court agrees with Judge Denney. Having  
11 reviewed the R&R and the record in this case, the Court will adopt the R&R in  
12 full.

13 It is therefore ordered that Judge Denney’s Report and Recommendation  
14 (ECF No. 6) is accepted and adopted in full.

15 It is further ordered that this action be dismissed without prejudice.

16 The Clerk of Court is respectfully directed to close this case.

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18 DATED THIS 20<sup>th</sup> Day of July 2023.

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21 ANNE R. TRAUM  
22 UNITED STATES DISTRICT JUDGE  
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